



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Christopher A. Vanderlaan
Irell & Manella LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067

In re Application of:
Lawrence R. FINCHAM
Application Serial No.: 10/074,604
Filed: February 11, 2002
For: **SOUND SYSTEM AND METHOD FOR
SOUND REPRODUCTION**

This is a decision on the Request for Reconsideration of Holding of Abandonment Pursuant to MPEP 711.03 filed December 20, 2004.

The petition is **GRANTED**.

A review of the application reveals that a Notice of Non-Compliant was mailed March 12, 2004 because applicant did use the proper status identifiers for the amended claims.

Petitioner urges that the Notice did not include the cover page outlining the procedure for correction and time period for response. Petitioner further urges that the received document was taken to be informational only. A review of petitioners Exhibit B indicates no page or sheet showing what corrective action the Office required. Nor is there indicated a period for response. Absent this cover sheet (see Exhibit C), it is reasonable to conclude that the Notice of Non-Compliant communication was informational only and did not require a response from applicant.

The Notice of Abandonment is vacated and the holding of abandonment withdrawn.

The application file is being forwarded to the Technology Center's technical support staff for entry of the corrected amended (attached to the petition as Exhibit D). From there, the file will be forwarded to the examiner for appropriate action in due course.

Kenneth A. Wieder
Kenneth A. Wieder
Special Program Examiner
Technology Center 2600
Communications

MAIL
MAY 05 2005
DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

DECISION
ON PETITION